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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/646,596	08/22/2003	Mojtaba Shariat	Shariat 8-1 (LCNT/125128)	9799
46363	7590	05/01/2009	EXAMINER	
WALL & TONG, LLP/ ALCATEL-LUCENT USA INC. 595 SHREWSBURY AVENUE SHREWSBURY, NJ 07702			NGUYEN, BRIAN D	
			ART UNIT	PAPER NUMBER
			2416	
			MAIL DATE	DELIVERY MODE
			05/01/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/646,596

Applicant(s)

SHARIAT ET AL.

Examiner

BRIAN D. NGUYEN

Art Unit

2416

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) 20-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-19 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. This application contains claims 20-24 drawn to an invention nonelected without traverse in the reply filed on 7/11/07. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5, 7-14, 16-19, and 25 are rejected under 35 U.S.C. 102(c) as being anticipated by Willars et al (7,072,329).

Regarding claims 1, Willars discloses a communication system for transporting Internet protocol-formatted communications over a Universal Mobile Telecommunications System (UMTS) wireless communications system, the communication system including a base station (BS 28 in figure 2B) and a radio network controller (RNC 26), the communication system further comprising: an inter-working gateway (50B) adapted for interconnection to the radio network controller and the base station, the inter-working gateway being adapted to communicate via Internet transport protocols and UMTS-based transport protocols (see, for example, ATM network and IP network in figure 3A), the inter-working gateway being further adapted to

reformat communications with movable UMTS-based radio-controlled network layer protocols for transport to the radio network controller and to reformat communications with movable Internet radio-controlled network layer protocols for transport to the base station (see figure 3A where the interworking gateway performs protocol conversion).

Regarding claim 2, Willars discloses the UMTS communications system exists at an installed site (figures 2B and 3A).

Regarding claim 3, Willars discloses the inter-working gateway is supplied as pre-installed with the transport protocols (figures 2B and 3A).

Regarding claim 4, Willars discloses the inter-working gateway is adapted to receive and download the radio-controlled network layer protocols and the transport protocols from the base station (figures 2B and 3A).

Regarding claim 5, Willars discloses the base station and the inter-working gateway are interconnected in a local area network (figure 2B).

Regarding claim 7, Willars discloses an interconnection of the inter-working gateway with the base station carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction (figure 3A).

Regarding claim 8, Willars discloses an interconnection of the inter-working gateway with the radio network controller carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the

communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction (see figure 3A).

Regarding claim 9, Willars discloses an interconnection of the inter-working gateway with the base station carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction, and an interconnection of the inter-working gateway with the radio network controller carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications formatted with the movable Internet radio-controlled network layer protocols in a second direction (figure 3A).

Regarding claim 10, Willars discloses a Node-B base station (BS 28 in figure 2B) adapted for transmitting and receiving cellular telephone communications, the Node-B base station being interconnected with the radio network controller for exchanging wireless cellular telephone communications (figure 2B).

Regarding claim 11, Willars discloses the UMTS communications system exists at an installed site (figure 2B).

Regarding claim 12, Willars discloses the inter-working gateway is supplied as pre-installed with the transport protocols (figure 2B).

Regarding claim 13, Willars discloses the inter-working gateway is adapted to receive and download the radio-controlled network layer protocols and the transport protocols from the base station (figure 3A).

Regarding claim 14, Willars discloses the base station and the inter-working gateway are interconnected in a local area network (figure 2B).

Regarding claim 16, Willars discloses an interconnection of the inter-working gateway with the base station carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction (figure 3A).

Regarding claim 17, Willars discloses an interconnection of the inter-working gateway with the radio network controller carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction (figure 3A).

Regarding claim 18, Willars discloses an interconnection of the inter-working gateway with the base station carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction, and an interconnection of the inter-working gateway with the radio network controller carries the communications reformatted with the movable UMTS-based radio-controlled network layer protocols in a first direction, and the communications reformatted with the movable Internet radio-controlled network layer protocols in a second direction (figure 3A).

Regarding claims 19 and 25, Willars discloses a method and an inter-working gateway (50B) for wirelessly transporting Internet protocol-formatted communications in a Universal

Mobile Telecommunications System (UMTS) communications system, the inter-working gateway comprising: means for communicating via Internet transport protocols and UMTS-based transport protocols (figure 3A); means for reformatting communications using movable UMTS-based transport protocols for transport to a radio network controller (figure 3A); and means for reformatting communications using movable Internet radio-controlled network layer protocols from the radio network controller to the inter-working gateway (figure 3A).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Willars in view of Verma et al (2005/0210154).

Regarding claims 6 and 15, Willars does not specifically disclose the communications system comprising elements such as SDRAM memory, a digital signal processor and associated flash memory and an application specific integrated circuit to manage baseband processing, and a microprocessor. However, a UMTS that includes these elements are well known in the art. Verma discloses a UMTS system that includes those elements (see, for example, paragraph 0016). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include memory and processors as taught by Verma in the system of Willars in order to store and process information when needed.

Response to Arguments

6. Applicant's arguments with respect to claims 1-19 and 25 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to BRIAN D. NGUYEN whose telephone number is (571)272-3084. The examiner can normally be reached on 7:30-6:00 Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571) 272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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/Brian D Nguyen/

Primary Examiner, Art Unit 2416